

§ 3015.5

justification for the change, the effective date, and the record of proceedings regarding such decision.

§ 3015.5 Rate or class not of general applicability.

(a) When the Postal Service determines to add or change a rate or class not of general applicability, it shall file notice of its decision with the Commission at least 15 days before the effective date of the change.

(b) The notice filed with the Commission shall include an explanation and justification for the change, the effective date, the rate and class decision, and the record of proceedings regarding such decision.

(c) In addition to the notice, the Postal Service shall file with the Commission:

(1) Sufficient revenue and cost data for the 12-month period following the effective date of the rate or class to demonstrate that each affected competitive product will be in compliance with 39 U.S.C. 3633(a)(2); and

(2) A certified statement by a representative of the Postal Service attesting to the accuracy of the data submitted, and explaining why, following the change, competitive products in total will be in compliance with 39 U.S.C. 3633(a)(1) and (3).

§ 3015.6 Sufficiency of information.

If, after review of the information submitted pursuant to this part, the Commission determines additional information is necessary to enable it to evaluate whether competitive products will be in compliance with 39 U.S.C. 3633(a), it may, in its discretion, require the Postal Service to provide additional information as deemed necessary.

§ 3015.7 Standards for compliance.

For purposes of determining competitive products' compliance with 39 U.S.C. 3633, the Commission will apply the following standards:

(a) Incremental costs will be used to test for cross-subsidies by market dominant products of competitive products. To the extent that incremental cost data are unavailable, the Commission will use competitive products' attributable costs supplemented to include

39 CFR Ch. III (7–1–08 Edition)

causally related, group-specific costs to test for cross-subsidies.

(b) Each competitive product must recover its attributable costs as defined in 39 U.S.C. 3631(b).

(c) Annually, on a fiscal year basis, the appropriate share of institutional costs to be recovered from competitive products collectively is, at a minimum, 5.5 percent of the Postal Service's total institutional costs.

PART 3020—PRODUCT LISTS

Subpart A—Mail Classification Schedule

Sec.

3020.1 Applicability.

3020.10 General.

3020.11 Initial Mail Classification Schedule.

3020.12 Publication of the Mail Classification Schedule.

3020.13 Contents of the Mail Classification Schedule.

3020.14 Notice of change.

APPENDIX A TO SUBPART A OF PART 3020—
MAIL CLASSIFICATION SCHEDULE

Subpart B—Requests Initiated by the Postal Service To Modify the Product Lists Described Within the Mail Classification Schedule

3020.30 General.

3020.31 Contents of a request.

3020.32 Supporting justification.

3020.33 Docket and notice.

3020.34 Review.

3020.35 Further proceedings.

Subpart C—Requests Initiated by Users of Mail To Modify the Product Lists Described Within the Mail Classification Schedule

3020.50 General.

3020.51 Contents of a request.

3020.52 Supporting justification.

3020.53 Docket and notice.

3020.54 Postal Service notice and reply.

3020.55 Review.

3020.56 Further proceedings.

Subpart D—Proposal of the Commission To Modify the Product Lists Described Within the Mail Classification Schedule

3020.70 General.

3020.71 Contents of a proposal.

3020.72 Supporting justification.

3020.73 Docket and notice.

3020.74 Postal Service notice and reply.

3020.75 Review.